



CALIFORNIA COURT OF APPEAL  
SECOND APPELLATE DISTRICT

**INVITATION TO FILE ELECTRONIC RECORDS AND  
BRIEFS  
IN THE SECOND DISTRICT COURT OF APPEAL**

The Second District Court of Appeal invites and encourages the voluntary filing of electronic records (“e-records”) and electronic briefs (“e-briefs”). This new pilot program is designed to assist the Court in evaluating both the usefulness of electronic media and the appropriate procedures for their acceptance.

Ideally, the parties will file a single CD-ROM containing (a) the reporter’s transcript (searchable), (b) a joint appendix in lieu of a clerk’s transcript, including images of all exhibits (searchable), (c) copies of all cited authorities, and (d) all briefs, hyperlinked to each other, to the record, and to the full text of all cited authorities. So, for example, a citation to the record would be hyperlinked to the reporters’ transcript or to the appendix—and thus would be only a mouse-click away from the person reviewing the brief on a computer screen.

Counsel who believe that an e-record or e-brief is appropriate for an appeal should confer as early as possible with opposing counsel and should cooperate in preparing the record or brief. E-records and e-briefs should be filed as early as possible, and in any event no later than 15 days after the last paper brief is filed.

If all parties agree, they must submit a written proposal describing what they propose to file to the Clerk’s Office. The Court will review the proposal and respond immediately. If it approves the proposal, the Court will set time frames and will work with counsel to minimize delay and maximize the effectiveness of the e-filing.

PLEASE NOTE: E-FILINGS ARE *IN ADDITION TO* THE NORMAL PAPER COPIES AND ***MUST MEET THE FOLLOWING REQUIREMENTS:***

- E-records and e-briefs must be contained on Windows-compatible CD-ROMs.
- E-records and e-briefs must be identical in content to their paper counterparts.
- E-records and e-briefs must either come with their own viewing programs or be viewable using (a) a program such as Adobe Acrobat that is downloadable from the Internet at no cost to the user, (b) both Internet Explorer and Netscape Navigator or (c) Microsoft Word, version \_\_\_\_.
- E-records and e-briefs must be free of computer viruses.
- E-records and e-briefs must be accompanied by a statement, preferably within or attached to the packaging, that (a) provides the instructions for viewing the record or brief and the minimum equipment required for doing so and (b) verifies the absence of computer viruses and describes the software used to ensure that they are virus-free.
- Five copies of each e-brief and e-record, all in the required form, must be filed.

Several commercial vendors prepare e-briefs, and they can provide exemplars and cost estimates. It is also possible to prepare e-briefs in-house using Adobe Acrobat, Word, WordPerfect, or other commercially available software.

For this pilot project, the Court will not require any particular structure or format for electronic records or briefs and will accept anything to which counsel stipulate as long as it meets the minimum requirements stated above—but counsel should recognize that the usefulness of e-records and e-briefs to the Court will depend heavily on their completeness and ease of use, and on how early they are filed.

The Court particularly encourages counsel to cooperate in filing a single CD-ROM containing all briefs and the entire record (including exhibits) and to agree to share the cost. Counsel should not assume that the cost of preparation will be recoverable.